

Mariana Islands, or the District Court of the Virgin Islands who is not reappointed (as judge of such court) following the expiration of his or her term of office shall, upon the completion of such term, be entitled to receive, during the remainder of his or her life, an annuity as follows:

“(A) If the judge has not yet attained the age of 65 years, the annuity of the judge shall be equal to 50 percent of the salary the judge received when leaving office, subject to subparagraph (B).

“(B) If the judge has attained the age of 65 years, or in the case of a judge described in subparagraph (A), upon attaining the age of 65 years—

“(i) if his or her judicial service, continuous or otherwise, aggregates 15 years or more, the annuity of the judge shall be equal to the salary received when leaving office; or

“(ii) if his or her judicial service, continuous or otherwise, aggregated less than 15 years but not less than 10 years, the annuity of the judge shall be equal to that proportion of the salary received when leaving office which the aggregate number of such years of judicial service bears to 15.”.

AMENDMENT NO. 2 TO 28 U.S.C. 373(e) OFFERED BY MS. BORDALLO

Section 373(e) of title 28, United States Code, is amended—

(1) by inserting “(1)” after “(e)”;

(2) by striking “, or who is not reappointed (as judge of such court),”; and

(3) by adding at the end the following:

“(2) Any judge of the District Court of Guam, the District Court of the Northern Mariana Islands, or the District Court of the Virgin Islands who is not reappointed (as judge of such court) following the expiration of his or her term of office shall, upon the completion of such term, be entitled to receive, during the remainder of his or her life, an annuity equal to the salary received when leaving office, if the judicial service of the judge, continuous or otherwise, aggregates 10 years or more, and the service of such judge as an officer or employee of the United States, continuous or otherwise, including military service, aggregates 15 years or more.”.

JUDICIAL CONFERENCE OF
THE UNITED STATES,

Washington, DC, February 23, 2005.

Hon. MADELEINE Z. BORDALLO,
House of Representatives, Cannon House Office
Building, Washington, DC.

Hon. DONNA M. CHRISTENSEN,
House of Representatives, Longworth House Of-
fice Building, Washington, DC.

DEAR DELEGATES BORDALLO AND CHRISTENSEN: Thank you for your letter of February 4, 2005, requesting the judiciary's review of draft legislation to amend the retirement provisions for territorial district court judges contained in section 373, of title 28, United States Code.

By copy of this letter, I am requesting that the Judicial Conference Committee on the Judicial Branch, which is chaired by Chief Judge Deanell Reece Tacha (United States Court of Appeals, Tenth Circuit), review and make any appropriate recommendations to the Judicial Conference on this matter. The Judicial Branch Committee has jurisdiction over judicial compensation and benefits matters, including judges' retirement.

In the interim, should you have any questions or concerns, please do not hesitate to contact Michael W. Blommer, Assistant Director, Office of Legislative Affairs, at (202) 502-1700.

Sincerely,

LEONIDAS RALPH MECHAM,

Secretary.

COMMITTEE ON THE JUDICIAL
BRANCH, JUDICIAL CONFERENCE OF
THE UNITED STATES,

Portland, ME, January 5, 2006.

Hon. MADELEINE Z. BORDALLO,
House of Representatives, Cannon House Office
Building, Washington, DC.

Hon. DONNA M. CHRISTENSEN,
House of Representatives, Longworth House Of-
fice Building, Washington, DC.

DEAR DELEGATES BORDALLO AND CHRISTENSEN: I am writing in furtherance of Administrative Office Director Leonidas Ralph Mecham's letter dated February 23, 2005, concerning your request for Judicial Conference review of proposed legislation to amend the retirement provisions for territorial district court judges, contained in section 373 of title 28, United States Code.

The Judicial Conference Committee on the Judicial Branch discussed your legislation at length during its December 1-2, 2005, meeting. As discussed below, the Committee recommended no action on this issue by the full Judicial Conference.

The Committee considered both proposals at length. It was the unanimous view of the Committee that the proposed legislation involved matters that are essentially private relief bills (intended to benefit a single territorial district court judge) and that this objective should not be achieved by amending title 28, United States Code. The Committee's determination is consistent with Judicial Conference precedent. During the 1970s, the Conference declined to endorse legislation that was intended to benefit a single territorial district court judge on at least three occasions. At the time, the Conference declined to endorse legislation that would have increased the retirement benefits accruing to certain territorial judges for their services as territorial judges in prior years (when the salary of that position was less than \$20,000 per year). The Conference was of the view that the bill as framed would apply to only one territorial judge and, therefore, if the Congress desired to enact such legislation, it would better be accomplished by a private bill (and not by amendment of title 28).

I should note that the Committee also considered whether to recommend to the Conference a more general resolution (e.g., that the Conference resolve to recommend that Congress amend the age and service provisions governing territorial district judges' retirement (28 U.S.C. 373(a)) to make them more congruent with those available to other fixed-term judges). After considerable discussion, that proposal was also considered to be unsatisfactory. The Committee believes that territorial district judges accept their judgeships knowing that non-reappointment is a possibility. There was also concern about maintaining parity with other fixed-term judges, such as bankruptcy and magistrate judges, whose retirement system is contributory.

I regret that my reply could not be more favorable. Should you have any questions or concerns, please do not hesitate to contact Cordia Strom, Assistant Director for Legislative Affairs at the Administrative Office of the U.S. Courts, at 202/502-1100.

Sincerely,

D. BROCK HORNBY,

District Judge.

REMEMBERING EMILY CAMPBELL
BROWN

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 2009

Mr. RYAN of Ohio. Madam Speaker, I rise to honor Emily Campbell Brown, the extraordinary mother of our former colleague and now member of the other body, Senator SHERROD BROWN. Mrs. Brown died at her home in Mansfield, Ohio, on Monday at the age of 88.

She was born and raised in Mansfield, Georgia, and married Dr. Charles G. Brown of Mansfield, Ohio in 1946. She taught English at the High School and was a leader in the Mansfield YWCA. She and her husband were instrumental in the founding of the Mansfield chapter of Habitat for Humanity and the Ohio Hunger Task Force. She was always active in the Richland County Democratic Party. In 2007 the Richland County Democratic Party established the Emily Brown Young Democrat Award in her honor. Just last year she campaigned for important issues and candidates.

She raised three sons, Robert, Charles, and our friend SHERROD, and was blessed with 6 grandchildren and a great grandson.

Madam Speaker, our thoughts and prayers are with Senator BROWN and all of his family in this difficult time as we remember his mother, a remarkable lady Emily Campbell Brown. Her progressive spirit and commitment to social justice lives on through her sons and her family.

Madam Speaker, I ask unanimous consent that a column written by Connie Schultz the daughter-in-law of Emily Brown and the wife of Senator BROWN that appeared in today's Cleveland Plain Dealer be printed in the CONGRESSIONAL RECORD at the conclusion of my remarks.

[From the Cleveland Plain Dealer, Feb. 4, 2009]

EMILY CAMPBELL BROWN, AN ACCOMPLISHED
LADY WHO DEFINED HER OWN LEGACY

(By Connie Schultz)

It didn't take long for me to realize I'd met my match in the likes of Emily Campbell Brown.

Six years ago, before I married her son, we were dressing for a black-tie event at her home. After I'd wriggled into a floor-length gown, she scooted up next to me.

“Cohhhhhnie,” she said in the Southern lilt that always coaxed another syllable out of my name. “Would you like to borrow a necklace?”

Aw, how sweet. “Thank you, Emily,” I said, “but I'm afraid that might draw attention to my chest.”

“Hmmm,” she said, glancing at my neckline. “Isn't that what you're trying to do?”

I could hear her son chuckling in the next room.

“Emily,” I said, kissing her powdered cheek. “You and I are going to do just fine.”

Most of the obituaries for Emily, who died Monday at 88, identify her first and foremost as the mother of my husband, U.S. Sen. Sherrod Brown. They mention that she also raised two other successful sons, and that she married a doctor.

She was proud of the men in her life, but to define Emily by her relationships is to diminish the giant force of a woman who made social justice the cornerstone of her life, and that of her family. One of the first e-mails

Sherrod ever sent me was a story about his mother: She'd grown up and away from Georgia and its troubled ways, and insisted that her boys always call African-American adults "Mr." or "Mrs." None of this first-name business meant to telegraph who was, and who wasn't, worthy of full regard.

Emily's accomplishments wove through issues of racial and economic justice. When it came to making a difference, she did not wait for the invitation. During the 2004 presidential race, she organized a voter-registration drive in a poorer section of Mansfield. There was the meticulously dressed, 84-year-old Emily, with a curve in her back and sensible shoes on her feet, dragging a card table out of the trunk of her car, day after day. She registered more than 1,000 voters that year.

One recent morning, after weeks bed-ridden, Emily asked for a hand mirror and was devastated by the face looking back at her. "I look so awful, Connie," she told me hours later. "Just awful."

I cupped her cheek with my hand. "Emily, you were always a beautiful woman, and you're beautiful now. That spirit of yours is shining through."

She scoffed, and I pushed. "Emily, you know I say exactly what I mean."

She rolled her eyes, acknowledging the occasional sparks that fired between us. "Yes," she said, "I know you do."

"If I say you look beautiful, it must be true."

She managed a small laugh. "Well, then, you're right. It has to be true."

In the last weeks of Emily's life, her energy came in short but astonishing bursts, and whoever was at her side leaned in with a hunger. One evening, we talked about Harper Lee's novel, "To Kill a Mockingbird."

"Oh, that was one of my favorite books," Emily said. "I read it over and over."

She was quiet for a moment. "I always loved the boy. The boy, Jeremy. Remember that scene at the jail?"

His nickname was Jem, and his father, lawyer Atticus Finch, had planted himself next to the county jail to make sure a black man falsely accused of rape wasn't killed overnight by a gang of angry white men. Jem defied his father's orders and joined him. When Atticus insisted he go home, the boy refused.

"No, suh," Emily said slowly and softly, quoting Jem. "No, suh, I will not leave."

A week later, though, she did just that.

A few hours after Emily died, I returned to work, as she would have wanted, and opened a large envelope from an anonymous reader. Inside, I found a profane poster plastered with my face next to one of the most pejorative words for my gender. I thought of our family's adage, that whenever we're challenged, we ask ourselves, "What would Emily do?"

I turned to my keyboard, revved up the computer and heard Emily Campbell Brown's voice whisper in my ear: "No, suh, I will not leave."

And I started to write.

REFLECTIONS ON THE LIFE OF
HAZEL SCOTT—A TRIBUTE TO
HER FIRST BIOGRAPHY, WRIT-
TEN BY KAREN CHILTON

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 2009

Mr. RANGEL. Madam, Speaker, today I rise to congratulate the family of the late and great Hazel Scott and the author of Hazel Scott's first memoir, Karen Chilton for writing such an important biographical book on a stellar Caribbean American pianist, singer, actress, and activist.

In 1939, when Café Society, New York City's first fully integrated nightclub, was all the rage, Hazel Scott was its star. Still a teenager, she wowed audiences with her jazz renditions of classical masterpieces by Chopin, Bach, and Rachmaninoff. A child prodigy, born in Trinidad and raised in Harlem in the 1920s, Scott's musical talent was cultivated by her musician mother, Alma Long Scott, as well as several great jazz luminaries of the period, namely, Art Tatum, Fats Waller, Billie Holiday, and Lester Young.

Career success was swift for the young pianist—she auditioned at the prestigious Juilliard School when she was only eight years old, hosted her own radio show at fourteen, and shared the bill at Roseland Ballroom with the Count Basie Orchestra at fifteen. After several stand-out performances on Broadway,

club impresario Barney Josephson proclaimed Hazel Scott the "Darling of Café Society."

By the time Hollywood came calling, Scott had achieved such stature that she could successfully challenge the studios' deplorable treatment of black actors. She would later become one of the first black women to host her own television show.

During the 1940s and '50s, her sexy and vivacious presence captivated fans worldwide. She was known for improvising on classical themes and also played boogie-woogie, blues, and ballads. Her marriage to the late and great Congressman Adam Clayton Powell, Jr., whom I succeeded, made them one of the country's most high-profile African American families.

In a career spanning over four decades, Hazel Scott became known not only for her accomplishments on stage and screen, but for her outspoken advocacy of civil rights. Her relentless crusade on behalf of African Americans, women, and artists made her the target of the House Un-American Activities Committee (HUAC) during the McCarthy Era, eventually forcing her to join the black expatriate community in Paris.

By age twenty-five, Hazel Scott was an international star but, before reaching thirty-five, she considered herself a failure. Plagued by insecurity and depression, she would try twice to take her own life. Her life came to a close, dying of pancreatic cancer, at the age of 61 on October 2, 1981.

Karen Chilton, a New York-based writer and actor who also co-authored "I Wish You Love," the jazz memoir of legendary vocalist Gloria Lynne, traces the fascinating arc of this brilliant and audacious American artist from stardom to ultimate obscurity. Readers will learn from the prelude to the civil rights movement to the dark moments in our nation's history where racial, ethnic, and political discrimination ran rampant.

So Madam Speaker, I ask that in this Black History Month, that you and my distinguished colleagues join me in honoring the life of Hazel Scott and thanking Karen Chilton. Karen truly authored a book that many generations of future stars will cherish.